

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

R E C E I V E D  
Clerk's Office  
USDC, Mass.  
Date 11-6-03  
By m  
Deputy Clerk

IN RE PHARMACEUTICAL INDUSTRY ) MDL No. 1456  
AVERAGE WHOLESALE PRICE )  
LITIGATION ) CIVIL ACTION: 01-CV-12257  
 ) PBS  
 )  
THIS DOCUMENT RELATES TO: ) Judge Patti B. Saris  
 )  
*State of Nevada v. Abbott Labs., Inc., et al.*, )  
D. Mont. Cause No. 02-12085- PBS )

AFFIDAVIT OF SERVICE

I, Thomas M. Sobol, attorney for the above-named Plaintiff(s) make oath I served Defendant(s) with a copy of the Complaint for the above-entitled case and a Summons for service on the following date(s):

1. B. Braun of America on August 18, 2003 (Exhibit A)
2. B. Braun McGaw on October 27, 2003 (Exhibit B)
3. Sicor, Inc. on November 3, 2003 (Exhibit C)

Pursuant to Federal Rule of Civil Procedure Rule 4(l) and Rule 4 of the Massachusetts Rules of Civil Procedure, such service was given by Certified Mail, Return Receipt Requested, addressed to an officer or director of Defendant corporations. Attached herewith, as proof of service, are the receipts for said service signed by the addressees.

DATED: November 6, 2003

By   
Thomas M. Sobol (BBO#471770)  
Edward Notargiacomo(BBO#567636)  
Hagens Berman LLP  
225 Franklin Street, 26<sup>th</sup> Floor  
Boston, MA 02110  
Telephone: (617) 482-3700  
Facsimile: (617) 482-3003

Steve W. Berman



## UNITED STATES DISTRICT COURT

District of

Massachusetts

In Re: Pharmaceutical Industry  
Average Wholesale Price Litigation  
v.

## SUMMONS IN A CIVIL CASE

CASE NUMBER: MOL NO. 1456  
C.A. NO. 01-cv-12257-PB

(This document relates to)

State of Nevada v. American Home Products  
Corp., et al., C.A. No. CV-N-02-0202-ECR

TO: (Name and address of Defendant)

Carroll H. Neuhauer, CEO  
B Braun McGaw  
824 12th Ave.  
Bethlehem, PA 18018

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (Name and address)

Thomas M. Sabol Esq.  
Hagens Berman LLP  
225 Franklin St.  
Boston, MA 02110

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

(By) DEPUTY CLERK



OCT 14 2003

DATE



## UNITED STATES DISTRICT COURT

District of

MassachusettsIn Re Pharmaceutical Industry Average  
Wholesale Price Litigation

## SUMMONS IN A CIVIL CASE

(This document relates to)

State of Nevada v. American Home Products  
Corp., et al., L.A. No. CV-N-02-0202-ECR

CASE NUMBER:

M.D.L. No. 1456  
C.A. No. 01-CV-12257-PBS

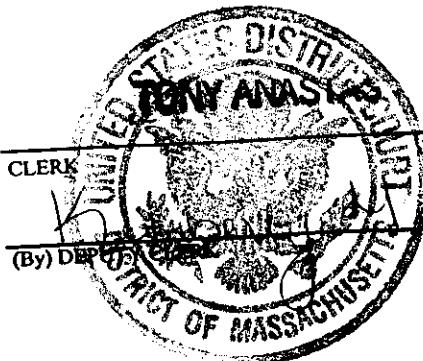
TO: (Name and address of Defendant)

Marvin Samson, President & CEO  
Sicor, Inc.  
19 Hughes  
Irvine, CA 92618

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Thomas M. Sobol  
Hagens Berman LLP  
225 Franklin Street  
26th Floor  
Boston, MA 02110

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



DATE

October 14, 2003Abaud



BOSTON LOS ANGELES PHOENIX SEATTLE  
**hagens-berman.com**  
225 FRANKLIN STREET, 26<sup>TH</sup> FLOOR • BOSTON, MA 02110  
(617) 482-3700 • FAX (617) 482-3003

EDWARD NOTARGIACOMO  
(617) 531-5505  
[ed@hagens-berman.com](mailto:ed@hagens-berman.com)

November 6, 2003

**VIA HAND DELIVERY**

Clerk's Office  
United States District Court  
District of Massachusetts  
One Courthouse Way, Suite 2300  
Boston, MA 02210

R E C E I V E D  
Clerk's Office  
USDC, Mass.  
Date 11-6-03  
By Deputy Clerk

Re: In Re: Pharmaceutical Industry Average Wholesale Price Litigation MDL  
No. 1456 – State of Nevada v. American Home Products Corp., et al.,  
D. Nev. Cause No. CV-N-02-0202-ECR

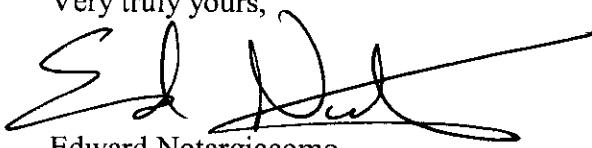
Dear Sir/Madam:

Enclosed for filing in the above-captioned matter please find the following document:

1. Affidavit of Service (B. Braun of America, B. Braun McGaw and Sicor, Inc.).

Please acknowledge this filing by date-stamping the enclosed copy of this letter and returning it to the waiting messenger.

Thank you.

Very truly yours,  
  
Edward Notargiacomo

Enclosure

cc: All counsel of record in *State of Nevada v. American Home Products Corp., et al.*,  
D. Nev. Cause No. CV-N-02-0202-ECR